



## Water Quality Program Corrections Required

<b>Construction Stormwater General Permit (CSGP)</b> <input checked="" type="checkbox"/>	<b>Industrial Stormwater General Permit (ISGP)</b> <input type="checkbox"/>	<b>Sand and Gravel General Permit (S&amp;G)</b> <input type="checkbox"/>
Site name and location		Mailing address –
Electron Hydro LLC Intake, Orting WA		1800 James St. Suite 201 Bellingham WA 98225-4631
		Phone: 360-738-9999
Site contact: Steven Goodrich		Permit #: WAR306648
Ecology inspector(s): Carol Serdar, Jess Eakens		Inspection date: 9/30/2020
Inspector phone: 360-742-9751; 360-791-5017	FAX: 509-329-3570	E-mail: cser461@ecy.wa.gov
Notice of Penalty issued <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Field Citation # N/A	Latitude and longitude 46.9052, -122.0408

The Department of Ecology (Ecology) is responsible for overseeing environmental laws that protect human health and the environment in Washington. Ecology observed violations of Chapter 90.48 of the Revised Code of Washington (RCW), Chapter 173-226 of the Washington Administrative Code (WAC), Waste Discharge General Permit Program during this site visit. Violations observed are checked below.

Violation No.	Violation	Reason	Permit Condition
<input type="checkbox"/> 1	RCW 90.48.160	Operating or discharging without a permit (all)	Does not apply.
<input type="checkbox"/> 2	RCW 90.48.080	Polluting waters of the state (all)	
<input type="checkbox"/> 3	RCW 90.48.080	Polluting impaired waters, discharge exceeds 303(d) limit (CSGP and ISGP)	
<input type="checkbox"/> 4	WAC 173-201A or WAC 173-200	Violating Water Quality Standards ( <i>List specific standard violated.</i> ) (all)	
<input type="checkbox"/> 5	RCW 90.48.090	Denial or withdrawal of access (all)	
<input type="checkbox"/> 6	RCW 90.48.080, WAC 173-226-070	Process water discharge without treatment in lined impoundment (S&G)	
<input type="checkbox"/> 7	RCW 90.48.080, WAC 173-226-070	Failure to clean up oil spills or repair leaking equipment	
<input type="checkbox"/> 8	RCW 90.48.080, WAC 173-226-070	Cover or containment not provided for chemical or petroleum products (all)	
<input type="checkbox"/> 9	RCW 90.48.080, WAC 173-226-070	Corrective Action not taken (ISGP)	
<input type="checkbox"/> 10	RCW 90.48.080, WAC 173-226-070	No Stormwater Pollution Prevention Plan (SWPPP) (all)	
<input checked="" type="checkbox"/> 11	RCW 90.48.080, WAC 173-226-070	SWPPP does not meet permit requirements (all)	<b>S9.B.2</b>
<input checked="" type="checkbox"/> 12	RCW 90.48.080, WAC 173-226-070	<input checked="" type="checkbox"/> Not <u>maintaining</u> best management practices (BMPs) (all) <input checked="" type="checkbox"/> Not <u>implementing</u> BMPs (all) <input checked="" type="checkbox"/> Failure to modify SWPPP per permit or Dept. of Ecology Notice (all)	<b>S9.B.2, S9.D.9</b>
<input type="checkbox"/> 13	RCW 90.48.080, WAC 173-226-070	<input type="checkbox"/> BMPs not <u>maintained</u> per permit or Dept. of Ecology Notice (all) <input type="checkbox"/> BMPs not <u>implemented</u> per permit or Dept. of Ecology Notice (all)	
<input type="checkbox"/> 14	RCW 90.48.080, WAC 173-226-070	<input type="checkbox"/> Inspections not completed as required by permit (CSGP and ISGP) <input type="checkbox"/> Inspections do not comply with permit requirements (CSGP and ISGP)	
<input type="checkbox"/> 15	RCW 90.48.080, WAC 173-226-090	<input type="checkbox"/> Monitoring not conducted as required by permit (all) <input type="checkbox"/> Sampling does not comply with permit requirements (all)	
<input type="checkbox"/> 16	RCW 90.48.080, WAC 173-226-070	<input type="checkbox"/> Not keeping site log book (CSGP and ISGP) <input type="checkbox"/> Not keeping inspection reports or checklists (CSGP)	
<input type="checkbox"/> 17	RCW 90.48.080, WAC 173-226-090	<input type="checkbox"/> Did not telephone report turbidity greater than 250 NTU (CSGP), or threshold exceeded (ISGP) <input type="checkbox"/> No Discharge Monitoring Reports available (all) <input type="checkbox"/> Failure to notify Dept. of Ecology of noncompliance with permit requirement (all)	
<input type="checkbox"/> 18			

Violation No.	Observation(s) and action(s) required to achieve compliance. (see permit conditions)	Complete or Submit Date
11	SWPPP does not reflect current disturbed acreage, SWRO Ecology contact information, and does not include ERTS and responses, or WQMP and daily data sheets. (not previously documented)	
	TO DO: update SWPPP to 10 disturbed acres Ecology Contact should be SWRO- Carol Serdar at <a href="mailto:carol.serdar@ecy.wa.gov">carol.serdar@ecy.wa.gov</a> , or 360-742-9751 Ensure ERTS and responses are included in site log book Ensure WQMP and daily data sheets are included in site log book	10/14/2020
12	SWPPP and SWPPP map not being updated to reflect on-site conditions. (previously documented items)	
	TO DO: update SWPPP and SWPPP map to reflect all on-site BMPs including the infiltration area, and BMPs utilized for hydraulic fluid spill along haul road Send photos of "Control Pollutants" section of SWPPP once updated with hydraulic fluid spill BMPs.	10/14/2020
12	Fueling tanks without proper or effective secondary containment observed throughout site.	
	TO DO: Ensure that all fuel tanks have secondary containment with 110% of the volume of the largest tank within the containment structure. Maintain secondary containment as needed to ensure proper functionality. Send photos of CSWGP area where spills occurred on both 9/25/20 and 9/29/20.	10/16/2020

**Instructions:**

- These corrective action requirements are not an enforcement order and are **not appealable**.
- If a penalty accompanies these corrective action requirements, **the penalty is appealable**.
- **Appeal directions are on the back of the penalty.**
- Failure to comply with these corrective action requirements may result in enforcement action.

1. To comply with the water quality regulations, complete the actions identified in the table above.
2. If you have questions, contact Jess Eakens, Ecology inspector, at 360-791-5017.
3. To request an extension, **send a written request** to the Ecology inspector by 10/12/2020.

Ecology will notify you if an extension is granted. Please include all of the following:

- Reason extension is needed.
- Steps already taken.
- Description of work that remains to be completed.
- Anticipated completion date.

**Send required document(s) to the appropriate Ecology office:**

Bellingham Field Office  
1440 10<sup>th</sup> St Ste 102  
Bellingham WA 98225  
360-715-5200

Vancouver Field Office  
2108 Grand Blvd  
Vancouver WA 98661  
360-690-7171

Central Regional Office  
15 W Yakima Ave Ste 200  
Yakima WA 98902  
509-575-2490

Northwest Regional Office  
3190 160<sup>th</sup> Ave SE  
Bellevue WA 98008-5452  
425-649-7000

Southwest Regional Office  
PO Box 47775  
Olympia WA 98504-7775  
360-407-6300

Eastern Regional Office  
4601 N Monroe  
Spokane WA 99205-1295  
509-329-3400

Ecology Inspector (signature): Jess Eakens

Date: 10/7/2020

If you need this publication in an alternate format, call the Water Quality Program at 360-407-6722. Persons with hearing loss call 711 for the Washington Relay Service. Persons with a speech disability call 877-833-6341